

April 10, 2007

PERSONNEL COMMITTEE REPORT

The Personnel Committee met Tuesday, April 10, 2007 at 3:00 p.m., in the QC Meeting Room, Third Floor, County Administration Building, 215 East Central, Bentonville

Committee Members Present: Harrison, Hobbs, Hubbard, Stephenson, Wolf

Others Present: JP Brown, JP Winscott, Barb Ludwig, Richard McComas

Media: Jennifer Turner – Benton County Daily Record
Scarlett Simms – Morning News

1. NEW BUSINESS:

Human Resources Director Barbara Ludwig stated that the purpose of the meeting will be to discuss proposed changes to two documents – the Salary Administration Policy and the Employee Policy Manual. She said these are both ordinances, and will require amendments to the Code of Ordinances in order to make any changes. She said the Salary Administration Policy is the rating system that is used to set ranges for all of the positions in the county which are listed in the Schedule 4 section of the Budget. She said that any changes in language to the current Employee Policy Manual will be done by ordinance, but additional guidelines will be included in a separate document to be adopted by Resolution.

JP Stephenson pointed out that theoretically, an Elected Official can do whatever they want in regards to salaries, but everyone has cooperated with the policy. Comptroller Richard McComas stated that Elected Officials still have to operate within their budgets. Barbara Ludwig stated that the Elected Officials all agreed to abide by the Salary Administration Policy when it was adopted. JP Winscott asked if any of the departments were askew in comparison to other departments. Barbara Ludwig stated that each pay grade has a minimum and a maximum to the range, and everyone is within their range. She noted that when a raise in salary is included in the budget approved by the Quorum Court, a certain amount is designated for cost of living, and the remainder is for merit and is determined by the Elected Officials.

A. Employee Policy Manual

The committee went through the Employee Policy Manual and discussed various changes. Barbara Ludwig stated that the section dealing with recruitment was removed because it is a procedural matter instead of policy. She said that language has been added to the Policy Manual that clearly defines full and part time employees and which ones are eligible for benefits. There was discussion regarding whether or not an employee may retain accrued benefits if they are rehired by a different department within 30 days of termination. JP Wolf made motion to remove language restricting reinstatement to the same position as a condition of retaining benefits, seconded by JP Harrison. Motion passed – 3 in favor (Harrison, Hobbs, and Wolf), 2 against (Hubbard, Stephenson). Barbara Ludwig stated that the Elected Officials will review the changes they are making today, and that restriction was one that they had previously requested because they wanted to limit employees from switching to other departments.

The committee discussed the county's drug testing policy. Barbara Ludwig stated that all new hires are required to take a drug test, and that random drug testing is done for all employees in the Sheriff's Department and anyone who holds a CDL license. She said that they also do post-accident testing, and may test upon reasonable suspicion with the County Attorney's approval. JP Stephenson asked why they do not do county wide random drug testing. Barbara Ludwig stated that it would be very expensive.

The committee discussed hours of operation, and the authority of Elected Officials to set the operating hours of their individual departments. JP Stephenson pointed out that they should not attempt to micro-manage the Elected Officials' offices.

Barbara Ludwig stated that government agencies are allowed to use comp time instead of overtime for the first 40 hours worked overtime. She explained a new comp time policy in which employees will be required to use comp time for time off before they are allowed to use vacation time, noting that some employees have in the past used vacation time when they have 40 hours in their comp time account, therefore drawing overtime pay the next time they work over 40 hours in a week.

The committee discussed the use of time clocks. Barbara Ludwig stated that the Assessor's Office is considering a time tracking system. Barbara Ludwig stated that she is not opposed to it as long as it interfaces with the payroll software. Richard McComas stated that the problem is that there are many employees that do not begin the day in the office, or may not end the day in an office. JPs Brown and Wolf agreed that productivity is the responsibility of the Elected Official in charge of the office.

The committee discussed the inclement weather policy, and the County Judge's authority to close the building. Barbara Ludwig stated that if an individual Elected Official closes their office, the employees must take vacation, comp time, or unpaid leave, but may not use sick time. She said that if the County Judge closes the building, employees receive emergency pay. She explained how emergency closings will affect 24-hour shift employees, and double time pay. JP Wolf questioned how an employee may be required to use vacation time or comp time when their supervisor has told them to leave because the office is closed. JP Wolf stated that it seems to be unclear whether or not the Elected Officials have total authority over their own offices. Barbara Ludwig stated that the County Judge is in charge of county properties, so it is his call whether the building should be closed or not.

The committee discussed a change in the nepotism policy, wherein an Elected Official may hire a relative if the position is project based and will last less than 90 days. Barbara Ludwig stated that the language still does not allow permanent employees to report to relatives, and also prohibits dating relationships between people where one reports directly to another. Barbara Ludwig stated that language has been added that requires employees to notify their supervisor if they are taking second jobs, because if the second job starts impacting their performance, they could be terminated.

The committee discussed medical exams, breaks, and lunch periods. Barbara Ludwig stated that they are proposing new vacation accrual guidelines in order to maintain market competitiveness. JP Winscott asked what the turnover rate is. Barbara Ludwig stated that it varies among departments, with the Jail having a rate of between 30% to 40%. The committee discussed reasons for the high turnover in the Jail.

Barbara Ludwig noted that sick leave has been changed to an hourly accrual, and that references to drug addiction and intoxication have been deleted because that is in conflict with the Americans with Disabilities Act. She noted that they would like to move toward Paid Time Off and away from sick leave so they would not have to function as sick leave police.

Barbara Ludwig stated that the military leave policy has been changed to comply with State law, and noted a change in the bereavement leave policy which differentiates between immediate and extended family, and allows sick leave to be used in conjunction with bereavement leave in the case of a loss of an immediate family member. The committee discussed the jury duty policy, and the committee decided that an employee should also receive pay for time missed if they are subpoenaed to testify in a trial, because legally they have no choice but to comply.

Barbara Ludwig stated that language has also been added to include a 3-day suspension without pay as part of progressive discipline policy. Richard McComas asked if that included the 3 days in which a terminated employee is allowed to file a grievance. Barbara Ludwig stated that it does not, and that employees are paid for 3 days, up until the time the Grievance Committee reaches its decision. JP Wolf suggested adding language that states that if the employee does not show up for the Grievance Committee hearing they do not receive the money. Barbara Ludwig stated that the progressive discipline policy has been used extensively, and is very helpful in protecting the county when someone files an unemployment claim.

Barbara Ludwig stated that a standard policy addressing Information Systems usage has been added as a means of protection for audit purposes.

Barbara Ludwig stated that a policy covering employee usage of county vehicles has been added, and that it will employ a points system which would result in the loss of a CDL license anyway. JP Winscott asked if the new sections were patterned after other counties, or if there had been precedents set. Barbara Ludwig stated that the vehicle policy was drafted with input from the County Attorney and the Road Department staff.

B. Salary Administration Policy

Barbara Ludwig stated that one problem which occurs frequently is that an employee promoted within a department is limited to a 5% increase in pay, while a new hire could be hired in at 90% of the midpoint of the range. She said they want to change the language to allow the Elected Official to raise a promoted employee's salary up to the same 90% of the range that a new hire would be allowed. Other changes noted were the ability to give an exemplary new employee a 3% increase in salary after 6 months, and a change in the Demotion Policy which allows the Elected Official to lower the salary to the midpoint of the new range.

Barbara Ludwig stated that the county has the capability to do job evaluations internally, and they will do job studies in order to write the job descriptions. She said that the Elected Officials have agreed, and if they do not agree with the way the description is written, they can appeal to the JESAP Committee, which is made up of Elected Officials. She said that in the past, an external consultant rated jobs based on how well the job description was written, and that is not true job evaluation.

Barbara Ludwig stated that there will still be cases in which an Elected Official will promote someone and would prefer to give them the 90% of the range, but the incumbent was paid at a lower rate so there is not enough money in the budget. She said this will still require salary waiver resolutions, but they will only do them at mid-year and during the budget process. She said that Blair Johanson will continue to perform the annual salary review. Barbara Ludwig stated that mid-year salary waiver requests will need to go to the Finance Committee in June, so they will need to meet twice in May.

After motion and second the meeting adjourned at 4:20 p.m.